

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

HEARING DATE: March 25, 2009
HEARING TIME: 10:00a.m.
HEARING PLACE: New York

IN RE

LEHMAN BROTHERS HOLDINGS, INC., et
al.,

DEBTORS

CHAPTER 11
CASE NO. 08-13555
JUDGE: James Peck

(Jointly Administered)

IN RE

BNC MORTGAGE LLC,

DEBTORS

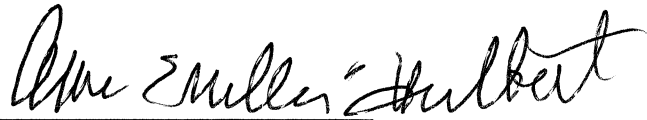
CHAPTER 11
CASE 09-10137
JUDGE: James Peck

**AMENDED NOTICE OF MOTION FOR RELIEF FROM THE AUTOMATIC STAY
PURSUANT TO BANKRUPTCY RULE 4001 AND 11 U.S.C. §362 (d)**

PLEASE TAKE NOTICE that US Bank, National Association, as Trustee, by and through its attorneys, Shapiro & DiCaro, LLP, will move this Court at the United States Bankruptcy Court, Alexander Hamilton Custom House, One Bowling Green, New York, NY 10004, on March 25, 2009 at 10:00a.m., or as soon thereafter as counsel may be heard, for an Order pursuant to Bankruptcy Rule 4001 and 11 U.S.C. §362(d) terminating the automatic stay as to Movant's interest in real property known as 586 Hendrix Street, Brooklyn, New York, and for such and further relief as is just and proper.

PLEASE TAKE FURTHER NOTICE that the relief requested may be granted without hearing if no objection is timely filed and served with the Court by the deadline set forth above.

Dated: February 27, 2009
Rochester, New York

A handwritten signature in cursive script, reading "Anne E. Miller-Hulbert".

Anne E. Miller-Hulbert
Shapiro & DiCaro, LLP
Attorneys for US Bank, National Association, as
Trustee
250 Mile Crossing Boulevard
Suite One
Rochester, NY 14624
(585) 247-9000

TO: Parties in Interest on the Annexed List

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**ORDER GRANTING RELIEF FROM
THE AUTOMATIC STAY**

Upon the Motion of US Bank, National Association, as Trustee dated February 27, 2009 with exhibits attached thereto, with proof of service upon the Trustee, Debtor and Debtor's Attorney and the United States Trustee, and the Motion having come to be heard on March 25, 2009, it is hereby:

ORDERED that the automatic stay in effect pursuant to 11 U.S.C. Section 362(a) is hereby vacated for cause pursuant to 11 U.S.C. Section 362(d) as to US Bank, National Association, as Trustee, its agents, assigns or successors in interest so that US Bank, National Association, as Trustee, its agents, assigns or successors in interest may take any and all actions under applicable state law to foreclose its mortgage on the premises known as 586 Hendrix Street, Brooklyn, NY 11207, and it is further

ORDERED that the Movant shall immediately provide an accounting to the
Trustee of any surplus monies realized as a result of the foreclosure sale.

Dated: _____, 2009
New York, NY

Enter:

Honorable James Peck
United States Bankruptcy Judge

UNITED STATES BANKRUPTCY COURT
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AFFIDAVIT OF SERVICE BY MAIL

STATE OF NEW YORK)
)ss:
COUNTY OF MONROE)

I, Shannon Thompson, being sworn, says, I am not a party to this action; I am over 18 years of age, I reside in Rochester, New York.

On February 27, 2009 I served the within Amended Notice of Motion upon the parties in interest set forth on the attached List:

TO BNC Mortgage LLC
 Debtor- in- Possession
 1901 Main Street
 Irvine, CA 92624

Weil, Gotshal & Manges, LLP
Attn: Harvey R. Miller, Esq.
Richard P. Krasnow, Esq., Lori R.
Fife, Esq., Shai Y. Waisman, Esq.
And Jacqueline Marcus, Esq.
Attorney for Debtors
767 Fifth Avenue
New York, NY 10153

Hughes Hubbard & Reed
Attn: Jeffrey S. Margolin, Esq. and
Sarah K. Loomis, Esq.
Attorneys for James W. Giddens, as
Trustee for the SIPA Liquidation of
Lehman Brothers, Inc.
1 Battery Park Plaza
New York, NY 10004

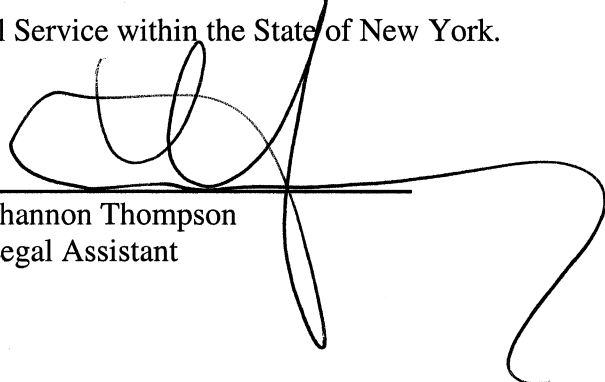
Office of the U.S. Trustee
Attn: Andy Velez-Rivera, Paul
Schwartzberg, Brian Masumoto,
Linda Riffirin and Tracy Hope Davis
33 Whitehall Street 21st Floor
New York, NY 10004

Claims and Noticing Agent
Epiq Bankruptcy Solutions, LLC Claims
Agent f/k/a Bankruptcy Services, LLC
757 Third Avenue 3rd Floor
New York, NY 10017

Milbank, Tweed, Hadley & McCloy, LLP
Attn: Dennis F. Dunne, Esq., Dennis O'Donnell, Esq.
and Evan Fleck, Esq.
Official Committee for Unsecured Creditors
1 Chase Manhattan Plaza
New York, NY 10005

Quinn Emanuel Urquhart Oliver & Hedges
Attn: James Tecce and Susheel Kirpalani
Attorney for Official Committee of
Unsecured Creditors
51 Madison Avenue 22nd Floor
New York, NY 10010

the addresses designated by the foregoing individuals for that purpose by depositing a true copy of same enclosed in a postpaid, properly addressed wrapper, in an official depository under the exclusive care and custody of the United States Postal Service within the State of New York.



Shannon Thompson
Legal Assistant

Sworn to before me this
27th day of February, 2009,



Notary Public
Anne E. Hulbert
Qualified in Monroe County
Commissions Expires May 31, 2010